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2001HANOI02884 - CONFIDENTIAL

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ACTION EAP-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	ACQ-00	CIAE-00	DINT-00
	SRPP-00	DS-00	EB-00	FBIE-00	VC-00	H-01	TEDE-00
	INR-00	IO-00	L-00	VCE-00	AC-01	NSAE-00	OIC-02
	OMB-01	OPIC-01	PA-00	PC-01	PM-00	PRS-00	ACE-00
	P-00	SP-00	STR-00	TRSE-00	USIE-00	PMB-00	DSCC-00
	PRM-00	DRL-02	G-00	NFAT-00	SAS-00	/009W	

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FM AMEMBASSY HANOI  
TO SECSTATE WASHDC PRIORITY 4579  
INFO ASEAN COLLECTIVE  
NSC WASHDC  
USCINCPAC HONOLULU HI  
SECDEF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 HANOI 002884

SIPDIS

DEPARTMENT FOR EAP/BCLTV AND DRL

SECDEF FOR ABLAGG

E.O. 12958: DECL 11/05/2011

TAGS: PHUM PGOV PINS VM HUMANR RELFREE

SUBJECT: GVN'S REACTION TO FATHER LY AND TRAN KHUE

REF A. HO CHI MINH CITY 1201 B. HANOI 2789

1C. HANOI 2321 AND PREVIOUS D. HANOI 2490  
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11. CLASSIFIED BY POL/C SCOTT D. BELLARD, REASON 1.5 (D)

12. (U) SUMMARY: THE GVN EXPLAINS ITS STERN TREATMENT OF THOSE IT DEEMS "POLITICAL" ACTIVISTS SUCH AS FATHER LY AND TRAN KHUE IN TERMS OF DEFENDING NATIONAL UNITY. THE GVN SEEMS PARTICULARLY SENSITIVE TO ITS OWN CITIZENS' CRITIQUES WHEN THEY ARE INTENDED FOR OVERSEAS AUDIENCES, ALTHOUGH THIS REACTION DRAWS EVEN MORE FOREIGN INTEREST. EMBASSY CONTINUES TO REMIND THE GVN THAT WE ARE CONCERNED ABOUT THE WELFARE OF THESE ACTIVISTS. END SUMMARY.

13. (U) EMBASSY HAS EXPRESSED USG CONCERN OVER FATHER NGUYEN VAN LY ON SEVERAL OCCASIONS SINCE HE RECEIVED HIS HARSH CONSECUTIVE SENTENCES TOTALING 15 YEARS ON OCTOBER 19. POL/C RAISED THE SUBJECT TO THE MINISTRY OF FOREIGN AFFAIRS (MFA) ON OCTOBER 22 (REF A). ON OCTOBER 24 CHARGE VOICED HIS CONCERN ABOUT LY'S SENTENCING WITH BUI THE GIANG OF THE COMMUNIST PARTY CENTRAL COMMITTEE'S EXTERNAL RELATIONS COMMISSION. POLOFF BROUGHT UP THE NEGATIVE IMPACT OF FATHER LY'S TREATMENT WHILE PRESENTING THE MFA'S AMERICAS DEPARTMENT WITH A COPY OF THE 2001 INTERNATIONAL RELIGIOUS FREEDOM REPORT ON OCTOBER 26, AND AGAIN CITED USG CONCERN AT LENGTH WITH AMERICAS DEPARTMENT PERSONNEL ON NOVEMBER 1.

14. (U) AS DESCRIBED IN REF A, THE GVN HAS CONSISTENTLY PRESENTED FATHER LY'S CASE AS NON-RELIGIOUS AND CLAIMS TO BASE ITS TREATMENT OF HIM NOT AS A RELIGIOUS FIGURE, BUT AS SOMEONE WHO WAS "INCITING BELIEVERS AND SOWING UNREST." THE MFA AMERICAS DEPARTMENT'S TRAN THI VAN ON NOVEMBER 1,  
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STRESSED THAT THE GVN HAD THOROUGHLY INVESTIGATED LY AND THAT HIS EARLIER (1997) 2-YEAR PROBATION SENTENCE HAD BEEN GUIDED BY THE STATE'S "HUMANITARIAN AND TOLERANT POLICY" AS IT SOUGHT TO "REMIND" HIM OF HOW HE COULD "TRULY HELP THE COMMUNITY." COMMENTING ON LY'S 13-YEAR SENTENCE FOR "DAMAGING THE UNITY POLICY," SHE REMARKED THAT THIS IS "A VERY SERIOUS CRIME," SINCE IT UNDERMINES ONE OF THE GVN'S CENTRAL POLICIES. VAN ACCUSED LY OF BEING "SELF-SERVING AND UNWILLING TRULY TO HELP THE PEOPLE."

15. (C) OTHER EMBASSIES ARE ALSO RESPONDING TO THE GVN'S TREATMENT OF LY. THE DEPARTING FRENCH AMBASSADOR REPORTEDLY RECEIVED A NEGATIVE REACTION FROM A SENIOR MFA OFFICIAL WHEN HE BROUGHT UP FATHER LY DURING HIS FINAL CALL. DIPLOMATS FROM EUROPEAN UNION (EU) MEMBER STATES HAVE TOLD CHARGE AND POLOFF THAT EU MEMBER COUNTRIES ARE ATTEMPTING TO FORMULATE A UNIFIED RESPONSE TO FATHER LY'S SENTENCING. ON NOVEMBER 1, A SWEDISH

POLOFF TOLD POLOFF THAT THE EU RESPONSE WOULD PROBABLY COME IN THE FOLLOWING WEEK. ACCORDING TO BRITISH POLOFF JONATHAN DUNN, EU MEMBERS DISAGREE OVER HOW STRONG TO MAKE THEIR RESPONSE BECAUSE OF DOUBTS ABOUT FATHER LY'S INTEGRITY AND "RESPECTABILITY." THESE DOUBTS INCLUDE ALLEGATIONS SUCH AS THOSE MADE IN THE LOCAL (STATE-OWNED) MEDIA THAT FATHER LY HAS FATHERED CHILDREN AS WELL AS MORE GENERAL QUESTIONS ABOUT WHETHER LY IS HELD IN ANY ESTEEM BY OTHER RELIGIOUS FIGURES, OR BY "THE PEOPLE" AT LARGE.

16. (C) NETHERLANDS POLOFF MERONA VANDEN HEUVEL TOLD POLOFF ON OCTOBER 31 THAT SHE HAD SPOKEN TO SEVERAL RELIGIOUS FIGURES IN THUA TIEN HUE PROVINCE ABOUT FATHER LY DURING THE WEEK AFTER HIS OCTOBER 19 SENTENCING. SHE SAID  
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BUDDHIST NUNS THERE HAD SAID THAT THEY WERE SADDENED BY LY'S SENTENCE BECAUSE IT SHOWED HOW STRONGLY THE AUTHORITIES REACT AGAINST THOSE WHO SPEAK OUT. (NOTE: THESE NUNS ARE PROBABLY AFFILIATED WITH THE UNITED BUDDHIST CHURCH OF VIETNAM (UBCV). END NOTE.) THE NUNS CLAIMED THAT LY'S SENTENCE WAS SO HARSH BECAUSE BY SENDING HIS CRITIQUES OVERSEAS, HE HAD EMBARRASSED THE AUTHORITIES INTERNATIONALLY, A MUCH WORSE OFFENSE THAN CRITICIZING THEM DOMESTICALLY. THE NETHERLANDS POLOFF ALSO REPORTED HAVING SPOKEN WITH PROMINENT UBCV MONK THICH THAI HOA, WHO IS CURRENTLY UNDER ADMINISTRATIVE DETENTION. HE WAS ALSO REPORTEDLY SADDENED BY LY'S SENTENCE, BUT NOT AT ALL SURPRISED. THE DEPUTY CHAIRMAN OF THE THUA TIEN HUE PROVINCIAL PEOPLE'S COMMITTEE COMPLAINED TO THE DUTCH AMBASSADOR THAT EVENING, ACCORDING TO VANDEN HEUVEL, THAT IT WAS INAPPROPRIATE FOR HER TO HAVE VISITED THICH THAI HOA.

17. (SBU) POLOFF ALSO ASKED MFA AMERICAS DEPARTMENT'S MS. VAN ABOUT THE CURRENT STATUS OF THE INDIVIDUALS WHO HAD SOUGHT GOVERNMENT PERMISSION TO FORM AN ANTI-CORRUPTION NGO IN EARLY SEPTEMBER (REF C). VAN, NAMING TRAN KHUE WITHOUT SPECIFIC PROMPTING, SAID THAT HE HAD NOT BEEN BROUGHT BEFORE THE COURTS, BUT WOULD BE IF HE CONTINUED TO ENGAGE

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IN ACTIVITIES THAT WERE NOT "APPROPRIATE." SHE COMPARED KHUE TO FATHER LY, CLAIMING THAT HE ALSO WAS ACTING IN HIS  
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OWN INTEREST AND WAS NOT TRULY INTERESTED IN HELPING "THE PEOPLE." WHEN ASKED, SHE STATED SPECIFICALLY THAT HE WAS NOT UNDER ADMINISTRATIVE DETENTION (DECREE 31/CP), BUT WAS AS FREE TO TRAVEL AND TO SPEAK TO PEOPLE AS ANYONE ELSE. (NOTE: HUMAN RIGHTS WATCH REPORTED RECEIVING INFORMATION FROM TRAN KHUE THAT HE HAD RECEIVED AN ORDER DATED OCTOBER 17 PLACING HIM UNDER ADMINISTRATIVE DETENTION. ACCORDING TO HUMAN RIGHTS WATCH'S INFORMATION, KHUE REFUSED TO ACCEPT THIS ORDER, SO IT WAS NOT YET IN EFFECT. THEREFORE, EVEN IF SUCH AN ORDER HAS BEEN ISSUED, MS. VAN MAY TECHNICALLY HAVE BEEN CORRECT. END NOTE.) VAN REITERATED AN EARLIER RECOMMENDATION (REF D) NOT TO CONTACT MEMBERS OF THIS GROUP DIRECTLY BECAUSE IT WOULD HURT BILATERAL RELATIONS AT A SENSITIVE TIME.

18. (C) COMMENT: EMBOFFS WILL CONTINUE FORCEFULLY TO EXPRESS OUR DISMAY OVER FATHER LY'S SENTENCING. REGRETTABLY, EMBASSY CONTINUES TO DOUBT THAT SUCH EXPRESSIONS WILL HAVE ANY NOTICEABLE IMPACT IN CASES DEEMED BY THE GVN AS ESPECIALLY SENSITIVE.  
PORTER

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